

Remarks

Reconsideration of this Application is respectfully requested. Claims 1-2, 5-9, and 12-17 are pending in the application, with claims 1, 8-9, and 15 being the independent claims. Claims 3-4 and 10-11 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein as being directed to a non-elected Group. Applicants reserve the right to prosecute similar or broader claims, with respect to the cancelled claims, in the future. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and that they be withdrawn.

Rejections under 35 U.S.C. § 103

Claims 1-2, 8-9, 15 and 17

Claims 1-2 and 8-9 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent Publication No. 2002/0136325 to Pehlke *et al* (herein "Pehlke") in view of U.S. Patent No. 6,700,440 to Hareyama (herein "Hareyama") and further in view of U.S. Patent No. 6,968,201 to Gandhi *et al* (herein "Gandhi"). Further, claims 15 and 17 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Pehlke in view of Hareyama. The Applicants traverse these rejections and respectfully request these rejections be withdrawn and these claims be passed to allowance. The Applicants remind the Examiner that the claims are given their broadest reasonable meaning in view of the specification, and any paraphrasing of claim features is not to be interpreted as reading any features into, or characterizing, any claim.

Claims 1, 8-9, and 15 recite features that distinguish over the applied references. For example, claim 1 recites "*powering on or off at least one branch of the power amplifier according to the received instruction to enable a logarithmic change in the output power of the power amplifier.*" (Emphasis added). Further, claim 8 recites, e.g., "*means for powering on or off at least one branch of the power amplifier according to the received instruction to enable a logarithmic change in output power.*" (Emphasis added). As an additional example, claim 9 recites "*a determining engine, communicatively coupled to the receiving engine, capable of determining how many branches of a power amplifier to power on or off according to the received instruction to enable a logarithmic change in output power.*" (Emphasis added). Claim 15, for example, states "*wherein the plurality of transistors are arranged in a logarithmic scale, thereby enabling a logarithmic change in output power with the powering on or off of a transistor.*" (Emphasis added).

The Examiner does not establish a *prima facie* case of obviousness for claims 1-2, 5, 8-9, 15, and 17 at least because Pehlke, Hareyama, nor Gandhi, either alone or in the allegedly obvious combination, do not teach, suggest, or disclose the aforementioned distinguishing features of the Applicants' claims. On pages 3 and 7, the Office Action admits that Pehlke fails to describe the aforementioned distinguishing features, and then attempts to use Hareyama to cure this deficiency.

However, Hareyama does not describe an amplifier having the aforementioned distinguishing features. Instead, Hareyama's Figure 4 shows an amplifier having an output that is not linearly variable on a logarithmic scale for changes in Hareyama's control voltages (CONT(1) and CONT(2)). Hareyama, Fig. 4. In Hareyama's Figure 4,

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the characteristic curve (L) displays a distinctively concave shape. The characteristic curve (H) similarly displays a concave shape. *Id.* Thus, Hareyama does not describe an amplifier providing a logarithmic change in output power when branches are enabled or disabled. Hareyama fails to cure Pehlke's deficiencies.

Gandhi does not cure the deficiencies of Pehlke and Hareyama, nor does the office action suggest this. A *prima facie* case of obviousness has not been established for independent claims 1, 8-9, and 15.

Accordingly, claims 2 and 17 are allowable for at least being dependent from a non-obvious independent claim, in addition to their own respective features. *See, In Re Fine*, 837 F.2d 1071 (Fed. Cir. 1988), and M.P.E.P. § 2143.03. Thus, a *prima facie* case of obviousness has not been established for claims 1-2, 8-9, 15, and 17. The Applicants respectfully request these rejections be withdrawn and that claims 1-2, 8-9, 15, and 17 be passed to allowance.

Claims 5-7, 12-14, and 16

Claims 5, 12, and 16 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Pehlke in view of Hareyama and Gandhi, and further in view of U.S. Patent Publication No. 2004/0219898 to Bult *et al* (herein "Bult"). Further, claims 6-7 and 13-14 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Pehlke in view of Hareyama and Gandhi and further in view of U.S. Patent No. 6,255,906 to Eidson *et al* (herein "Eidson"). The Applicants traverse these rejections and respectfully request these rejections be withdrawn and these claims be passed to allowance.

Dependent claims 5-7, 12-14, and 16 respectively depend upon independent claims 1, 9, and 15. Eidson does not cure the deficiencies mentioned herein for Pehlke in view of Hareyama and Gandhi, nor does the Office Action suggest this. Accordingly, claims 5-7, 12-14, and 16 are allowable for at least being dependent from a non-obvious independent claim, in addition to their own respective features. *Id.* Thus, a *prima facie* case of obviousness has not been established. The Applicants respectfully request these rejections be withdrawn and that claims 5-7, 12-14, and 16 be passed to allowance.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

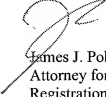
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Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

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